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Liquidating Trust*

**UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
RICHMOND DIVISION**

In re:

CIRCUIT CITY STORES, INC., et al.,

Debtors.

Chapter 11

Case No. 08-35653-KRH

(Jointly Administered)

NOTICE OF SUBSTANTIVE HEARING
(Liquidating Trust's Fifteenth and Sixty-Fourth Omnibus
Objections to Claim Numbers 9488 and 9647)
(Claimant – Bank of America/Capmark and
WEC-96 D Niles Investment Trust ("Investment Trust"))

PLEASE TAKE NOTICE that Circuit City Stores, Inc. Liquidating Trust (the "Trust"), by counsel, of the above referenced estates of Circuit City Stores, Inc. *et al.* (collectively, the "Debtors") will seek to have the Court (a) allow Claim No. 9488 as a general unsecured claim in the amount of \$937,379.95 (the "GUC Claim"), which amount was negotiated with Capmark; (b) expunge Claim No. 9647 as duplicative; and (c) determine whether Capmark or Investment Trust is the proper holder of the GUC Claim in connection with this property. Each claim is further identified in the *Liquidating Trustee's Fifteenth and Sixty-*

***Fourth Omnibus Objection to Claims* (the “Claim Objection”) [Docket Nos. 10053 and 12446]. The relief sought is based upon information received from you in response to the Claim Objection and/or the Debtors’ books and records.**

PLEASE TAKE FURTHER NOTICE THAT the Court will hold a hearing and receive evidence on the Claim Objection on **December 14, 2016 at 2:00 p.m.**, (or such time thereafter as the matter may be heard) and the undersigned will appear before The Honorable Kevin R. Huennekens, United States Bankruptcy Judge, in Room 5000, of the United States Courthouse, 701 E. Broad Street Richmond, Virginia 23219.

PLEASE TAKE FURTHER NOTICE THAT **the undersigned will present evidence, if necessary, on December 14, 2016 at 2:00 p.m., seeking to have the Court (a) allow Claim No. 9488 as a general unsecured claim in the amount of \$937,379.95 (the “GUC Claim”), which amount was negotiated with Capmark; (b) expunge Claim No. 9647 as duplicative; and (c) determine whether Capmark or Investment Trust is the proper the holder of GUC Claim in connection with this property.**

PLEASE TAKE FURTHER NOTICE THAT if you do not want the Court to grant the relief described herein, **you must (1) on or before December 9, 2016, file a notice of your intent to attend the hearing and summary of the position you will advocate at the hearing with the Court at:**

Clerk of the Bankruptcy Court
United States Bankruptcy Court
701 East Broad Street - Room 4000
Richmond, Virginia 23219

and (2) attend the hearing on December 14, 2016 at 2:00 p.m.

PLEASE GOVERN YOURSELVES ACCORDINGLY.

Dated: November 23, 2016

/s/ Paula S. Beran

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Counsel for the Circuit City Stores, Inc.

Liquidating Trust

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the above and foregoing Notice of Substantive Hearing was served on November 23, 2016 via electronic delivery to all of the parties receiving ECF notice in this bankruptcy case and via first-class mail, postage prepaid, on the following:

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LaSalle Bank National Association as Trustee for the
Registered Holders of GMAC
Peyton Inge
c o Capmark Finance Inc
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WEC 96D Niles Investment Trust
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/s/ Paula S. Beran

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